

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JEFFREY WEISMAN, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:19-CV-00075 JAR
)	
BARNES JEWISH HOSPITAL, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on the Hospital Defendants’ motion for telephone conference. (Doc. No. 224). Defendants seek clarification of the Court’s deadline for Plaintiff to comply with the Court’s November 10, 2022 Order (Doc. No. 210) granting their motion to compel Plaintiff to supplement his responses to their requests for production (consisting of more than 60,000 documents) to identify by Bates label which documents correspond to which of their requests for production pursuant to Rule 34(b)(2)(E)(i) (Doc. No. 196).

The Court held a conference on pending discovery motions on November 10, 2022 and ordered that within ten (10) days of the date of the Order, Defendants identify for Plaintiffs their top five topics for Plaintiffs to then identify by Bates label which of the produced documents were responsive to each topic. The Court did not provide a due date for Plaintiff’s compliance, assuming the parties would work in good faith to provide the production. This is clearly not happening. Plaintiff responds to Defendants’ motion by stating that “he cannot state precisely when the task will be completed given the size of the task, the breadth of the topics, and the ongoing activities in the case.” (Doc. No. 225 at 2). This discovery should have occurred well before now. The Court notes that a number of depositions are scheduled in the next few weeks;


Defendants will be disadvantaged in the absence of the discovery they seek. The Court continues to reserve ruling on whether additional sanctions should be imposed.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff shall have **ten (10) days from the date of this Order** to comply with the Court's November 10, 2022 Order by identifying by Bates label which of the documents previously produced correspond to the Hospital Defendants' requests for production on the five topics selected by Defendants.

IT IS FURTHER ORDERED that Defendants' Motion for Telephone Conference [224] is **DENIED as moot**.

Dated this 19th day of December, 2022.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE